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REMARKS

Claims 1-26 are currently pending in the subject application and are presently under consideration. A version of all pending claims is found at page 2-6. Applicants' representative notes with appreciation the indication that the objection to claim 1 for minor informalities, and the rejection of claims 1-14 and 23-26 under 35 U.S.C. §112, second paragraph, have been withdrawn by the Examiner. Favorable consideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-26 Under 35 U.S.C. §102(b)

Claims 1-26 stand rejected under 35 U.S.C. §102(b) as being based upon a public use or sale of the invention, and are thus anticipated by Azarya *et al.* (US 5,978,578). It is respectfully requested that this rejection should be withdrawn for the following reason. Azarya *et al.* fails to teach or suggest each and every limitation set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes *each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaa Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicants' claimed invention relates to a system and method for providing an automation interface for interacting with industrial controllers, wherein the automation interface provides for programming, editing, monitoring and maintenance of industrial controllers programmatically. Independent claims 1, 11, 15 and 23, recite similar claim limitations, namely: a computer process interface library comprising object-oriented based objects and classes integrated into the automation interface component, *the computer process interface library exposing the automation interface component to a client application process, the client application process communicates with the at least one industrial controller programmatically*. The invention as claimed, therefore,

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integrates a computer process interface library, which comprises object-oriented based objects and classes, into an automation interface component, the automation interface component, through the object-oriented based objects and classes, exposes the automation interface component to a client application process, wherein the client application process can communicate directly with at least one industrial controller. Azarya *et al.* is silent regarding this limitation.

Azarya *et al.* discloses a control automation system for enabling I/O boards to access communications networks for receiving and transmitting real-time control information over a communications network. The system comprising a control bus, a node controller and a development system, wherein the control bus forms the hub of operations receiving network communications, processing cooperative logic and transmitting information over the communications network. It would appear that the control automation system as disclosed in Azarya *et al.* acts as an intermediary between the I/O boards and the receipt and transmittal of control information over a communications network without exposing the I/O boards themselves to network communications; it is the control bus that receives and transmits information, whereupon the control bus relays the received information either to or from the I/O boards.

The invention as claimed, on the other hand, allows direct programmatical communications between a client application process and one or more industrial controllers through an automation interface component, the automation interface component containing a computer process interface library integrated therein. The automation interface component as claimed, therefore, facilitates directly exposing the one or more industrial controllers to a client application process through a communications network. Thus, the invention as claimed not only obviates the necessity for the control automation system as disclosed in Azarya *et al.*, but also is distinguishable from Azarya *et al.* Accordingly, it is respectfully requested that the rejection of independent claims 1, 11, 15 and 23 (and claims that depend therefrom) should be withdrawn.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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